

II. REMARKS

In response to the Office Action mailed 16 June 2008, the Examiner is requested to reconsider the application in view of the following remarks. Generally, it is believed that the amendment adds no new matter.

Applicant wishes to express appreciation for the helpful interview.

Respectfully, and generally for the reasons set forth below, the rejections and each ground therefore are traversed.

In paragraphs 2-27 of the Office Action, claims 1-70 have been rejected pursuant to 35 U.S.C. Sec. 103. The Office Action contends that each and every element of these claims is obvious for reasons set out in the Office Action.

In response, the rejection is respectfully traversed because at least one claim element has not been shown as disclosed or suggested in the prior art. The cited art does not teach or suggest cash flows that meet Applicant's claim requirements. Mills, in contrast to Applicant's claims, is dealing with actual to actual, and Mills's actual is actual exposure not cash flow.

Applicant further maintains pertinent portions of Applicant's filing of December 10, 2007, as regards the combination of Hinckley and Kelly and respectfully submits that no proper motivation or reason has been shown for the combination of art cited in the instant rejection, at least because:

- (1) the contended combination of teachings to reach the claimed invention would render the cited art inoperable for their respective purposes;
- (2) the contended combination of teachings to reach the claimed invention would change the principles of operation of the devices shown in the respective cited art; and

(3) no motivation or suggestion has been shown in the cited art that, as of the date of the instant application, would have prompted one skilled in the art to make the combination to reach the claimed invention.

With further regard to the proposed combinations of Hinckley, Kelly, and/or Mills, Applicant relies on the enclosed Board decision of Ex parte Massey (Appeal No. 2004-0298) as persuasive for the contention that the disparity of problems addressed by the applied references, and the differing solutions proposed by them, are such that any attempt to combine them in the manner proposed by in the Office Action could only come from Applicant's own disclosure and not from any teaching or suggestion in the references themselves. Should the Examiner disagree with Ex parte Massey as applied to Hinckley, Kelly, and Mills being applied to Applicant's claims, pursuant to 35 U.S.C. Sec. 132, information as to reason for the disagreement is respectfully requested.

In sum, as to all rejected claims, the cited art does not disclose all elements, and the reasons to combine are improper; amendments herein are to tidy up the claims.

It is respectfully submitted that the claims have not been shown to be *prima facie* unpatentable over the cited art, and the application is believed to be in condition for allowance. Also, the new claims are believed to be patentable for reasons including those provided above. Favorable action is respectfully requested. The Examiner is invited to contact the undersigned at the telephone number set out below if it can in any way expedite or facilitate issuance of a patent on the application.

With respect to the present application, the Applicant hereby rescinds any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer, if any, and the prior art that it was made to avoid, may need to be revisited. Nor should a disclaimer, if any, in the present application be read

back into any predecessor or related application.

APPLICANT CLAIMS SMALL ENTITY STATUS. The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application, or credit any overcharges to Deposit Account No. 50-0235, and if any extension of time is needed to reply to said Office Action, this shall be deemed a petition therefore.

Please direct all communication to the undersigned at the address given below.

Respectfully submitted,



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